GOVERNMENT OF INDIA
LAW , JUSTICE AND COMPANY AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:3747
ANSWERED ON:16.08.2001
FAST TRACK COURTS
AVSM, BRIG.(RETD.) KAMAKHYA PRASAD SINGH DEO;B.K. PARTHASARATHI;GUNIPATI RAMAIAH;NAMDEO HARBAJI DIWATHE;RAM PRASAD SINGH;RAOSAHEB PATIL DANVE;T. GOVINDAN;THAAWAR CHAND GEHLOT;VILAS BABURAO MUTTEMWAR

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Government are aware of the observation made by the Hon`ble Supreme Court of India regarding Fast Track Courts Scheme;

(b) if so, the details thereof including the procedure of appointment of judges and reaction of the Government thereon;

(c) whether the Government propose to review its policy of setting up the Fast Track Courts in the light of the observations of the Supreme Court of India;

(d) if so, whether the Supreme Court`s prior concurrence was sought before initiating action on such a proposal;

(e) if not, the reasons therefor;

(f) the number of such courts already set up and the formal appointment of Presiding Officers made therein;

(g) the number of cases disposed of by the said courts till date, State-wise;

(h) whether the Government propose to bring forward a legislation to give legal sanctity of these courts; and

(i) if so, the details thereof?

Answer

MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS AND SHIPPING (SHRI ARUN JAITLEY)

(a)to(c):Yes, Sir. As per the scheme recommended by the Eleventh Finance commission, retired sessions judges are to be appointed in Fast Track Courts. Against this, a few writs were filed in the Andhra Pradesh and Punjab & Haryana High

Courts. The Supreme Court stayed the order of Andhra Pradesh High court in W.P.M.P. No.11305 of 2001 & ordered for transfer of all cases pending in these High courts. Now the cases are sub judice in the Supreme court of India.

However, the Hon`ble Supreme Court has no such observations which may necessitate a review of the policy of setting up of Fast Track Courts.

(d)&(e): The Supreme Court was kept informed about the scheme of Fast Track Courts.

(f); So far, 459 Fast Track Courts have been set up throughout the country. The appointment of Presiding Officers falls under the purview of the respective High Court /State Government.

(g): The information is being collected and will be laid on the Table of the House.

(h): No Sir.

(i): Does not arise.